IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.10019 OF 2004

Shri Sambhaji V. Kharat ... Petitioner

v/s

Shri Tukaram D. Khupkar and ors. ... Respondents

Mr Prashant Padi i/b Mr R.V. More for Petitioner.

None for Respondents.

CORAM : D.K. DESHMUKH J.

DATE : 15TH JUNE 2005.

P.C. :-

1. At the instance of decree-holder, the executing court has directed joining of some person as party to the execution. Even if the order is not in accordance with law, the only party which can make grievance against the order would be the person who has been directed to be joined as a party. The present petitioner who is a judgment debtor cannot make any grievance against the order because by that order, no right of the judgment debtor is being varied or defeated. The petition therefore filed by the petitioner - judgment debtor is not maintainable and is rejected.

. Parties to act on the copy of this order duly authenticated by the Sheristedar / Personal Secretary of this Court as true copy.

. Certified copy expedited.